

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

TIMOTHY DEFOGGI,

Defendant.

8:13CR105

**STATEMENT OF PLAINTIFF  
PURSUANT TO NECrimR.32.1(b)  
REGARDING SENTENCING  
PROCEDURES AND  
ADOPTION OF REVISED  
PRESENTENCE  
INVESTIGATION REPORT AND  
ADDENDUM**

COMES NOW Plaintiff, United States of America, by and through the undersigned Assistant United States Attorney, and hereby provides this written statement in accordance with NECrimR. 32.1(b), regarding Sentencing Procedures.

Plaintiff hereby adopts the Revised Presentence Investigation Report and Addendum. Plaintiff anticipates offering no additional evidence at sentencing, other than to rebut or address issues raised by Defendant.

Dated this 10<sup>th</sup> day of December, 2014.

DEBORAH R. GILG  
United States Attorney  
District of Nebraska

By: s/ Michael P. Norris  
MICHAEL P. NORRIS (#17765)  
Assistant U.S. States Attorney  
1620 Dodge Street, Suite 1400  
Omaha, NE 68102-1506  
Tel: (402) 661-3700  
Fax: (402) 661-3084  
E-mail: [Michael.norris@usdoj.gov](mailto:Michael.norris@usdoj.gov)

CERTIFICATE OF SERVICE

I hereby certify that on December 10, 2014, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which sent notification of such filing to the following: Stuart J. Dornan, Attorney at Law, and also hereby certify that a copy of the same has been served by regular mail, postage prepaid, to the following non-CM/ECF participants: Sandra L. Foster, U.S. Probation Officer.

s/ Michael P. Norris  
Assistant U.S. Attorney